

MISC. CRIMINAL APPLICATION NO. 1588 OF 1984

WITH

MISC. CRIMINAL APPLICATION NO. 1660 OF 1984

Date of decision: 19.6.1997

For approval and signature

The Honourable Mr. Justice R. R. Jain

Mr. S.A. Pandya, A.P.P. for petitioners.

Mr. C.H. Vora, for the respondents.

1. Whether Reporters of Local Papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram: R.R.Jain, J.

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June 19, 1997.

Oral common judgment:

From the record it appears that during the pendency of these petitions, the respondent/original complainant desired to withdraw the complaint pending before the learned Chief Judicial Magistrate at Kachchh. Even stay of proceedings was also relaxed to that extent. After the aforesaid order there is nothing on record that the complaints have not been withdrawn, therefore, shall be deemed to have been withdrawn. These petitions have been filed for quashing of those complaints. If the original

complaints are withdrawn and not prosecuted, question of quashing does not arise. Thus, the matters having become infructuous, do not survive.

In the result, both the petitions are rejected. Rule is discharged. Interim relief is vacated.